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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,653	07/28/2003	Long Hsiung Chen	MR1035-1286	4454
4586	7590	11/15/2005		
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			EXAMINER AHMED, AAMER S	
			ART UNIT	PAPER NUMBER
			3763	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/627,653	Applicant(s) CHEN, LONG HSIUNG	
	Examiner Aamer S. Ahmed	Art Unit 3763	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☒ Claim(s) 1,2 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

An information disclosure statement was not filed. According to 37 CFR 1.98(a)(1), a properly filed information disclosure requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement.

Specification

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;

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- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it fails to concisely state a technical disclosure of the patent. Correction is required. See MPEP § 608.01(b).

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: flukes, plunge, crankily, conjunction, conjugates.

Claim Objections

Claims 1, 2 and 10 objected to because of the following informalities: claim 1 line 7, and claim 2 line 18 the term "depositing" is inappropriate, it is suggested the term

"deposited" be used; claim 10 the term "the arc" is inappropriate, is it suggested it be replaced by "an arc". Appropriate correction is required.

Claim Objections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 recites the limitation "the plane" in second line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6 and 8-10 rejected under 35 U.S.C. 102(b) as being anticipated by Silver et al U.S. Patent Number 5,336,198. As to claim 1, Silver ('198) describes an injection syringe comprising a hollow barrel 14 comprising an axial extension 54 at the top, the inside of which has a spring 58 at the top and a seal spring 46 at the bottom; a needle seat 43 deposited inside of the axial extension 54 and comprising a bulge loop 38 at the bottom and a needle head seat 43 which has a syringe needle 16, and the outside of the needle head seat 43 comprising a plurality of positioning sheets 48 which has channels 20 for coupling to the positioning spring 58; and a plunger 12 placed in the hollow barrel 14 and comprising a fastening seat 52 which has a piston 26, and the

piston comprising a hole 52 for placing a cylindrical column of the fastening seat 52, wherein the top of the cylindrical column 30 has a plurality of flukes 22 for conjugating to the bulge loop 38.

As to claim 3 Silver ('198) discloses that the axial extension 54 comprises an upper channel 20 and lower channel (see figure 3) for forming the positioning spring 58 and the seal spring 46.

As to claim 4, Silver ('198) teaches that the upper channel 20 of positioning sheet 48 comprises a pressing channel 64. (See figure 5)

As to claim 5 Silver ('198) teaches that the fastening seat 52 comprises a plurality of fastening channels 31 at the outside for coupling to a plurality of bulge rings 28 at the inside of the piston 26.

As to claim 6, Silver ('198) describes the upper surface of cylindrical column 30 has an inclined plane (see figure 1).

As to claim 8, Silver discloses that the top of the plunger 12 comprises an opening to couple to the fastening seat 52 and to easily break the plunger after using, see figure 2.

As to claims 9 and 10, Silver teaches that the bottom of the plunger comprises of a flange 24, which is the shape of an arc (see figure 1).

Thus Silver ('198) reasonably appears to teach and disclose every element of claims 1, 3-6, and 8-10.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silver ('198) in view of Chen U.S. Patent Number 6,117,107. Silver ('198) describes the injection syringe as described above in reference to claim 1. Silver ('198) fails to disclose a piercer.

Chen ('107) discloses a similar injection device wherein the axial extension 14 comprises a piercer (see figure 5) inside of it.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the injection device of Silver ('198) by adding a piercer of the type suggested by Chen ('107) in order to prevent re-use of the needle.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silver ('198) in view of Van Dyke U.S. Patent Number 6,413,236. Silver ('198) describes the

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injection syringe as described above in reference to claim 1. Silver ('198) fails to disclose that the fastening seat comprises an axial channel.

Van Dyke ('236) discloses a similar injection device wherein the fastening seat 64 comprises an axial channel see figure 3.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the injection device of Silver ('198) by adding a channel to the fastening seat of the type suggested by Van Dyke ('236) in order to prevent re-use of the needle.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

EP 590757 A2	CHEN, LONG-HSIUNG
EP 818209 A1	CHEN, LONG-HSIUNG
EP 818210 A1	CHEN, LONG-HSIUNG
EP 818211 A1	CHEN, LONG-HSIUNG
EP 1506740 A1	CHEN, LONG-HSIUNG
US 5205826 A	Chen; Long-Hsiung
US 5232458 A	Chen; Long-Hsiung
US 5242402 A	Chen; Long-Hsiung
US 5328475 A	Chen; Long-Hsiung
US 5405327 A	Chen; Long-Hsiung
US 5562627 A	Chen; Long-Hsiung
US 5569203 A	Chen; Long-Hsiung

US 5575774 A	Chen; Long-Hsiung
US 5591131 A	Chen; Long-Hsiung
US 5938622 A	Chen; Long-Hsiung
US 5180369 A	Dysarz; Edward D.
US 4950241 A	Ranford; Alan B.
US 6342045 B1	Somers; Brice
US 6530903 B2	Wang; Xiping et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aamer S. Ahmed whose telephone number is 571-272-5965. The examiner can normally be reached on Monday thru Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'N. Lucciesi', with a stylized, cursive script.

NICHOLAS D. LUCCIESI
SUPERVISOR, REPORT EXAMINER
TECHNOLOGY CENTER 3763